

# Testimony on Department of Transportation's Proposed Automated Red Light Enforcement Revenue Distribution from Vincent J. Fenerty, Jr., Executive Director, Philadelphia Parking Authority

Good morning. My name is Vince Fenerty and I am the Executive Director of the Philadelphia Parking Authority. I would like to thank Chairman Markosek, Chairman Geist, and the members of the committee for allowing me to testify today.

I would like to offer remarks concerning the Proposed Rule establishing the criteria for the distribution process by which the Department of Transportation will distribute revenue generated solely by Philadelphia's Automated Red Light Enforcement Program.

Since the Proposed Rule permits the use of revenue generated from the Red Light Camera Program for highway safety and mobility within the Commonwealth, the Parking Authority respectfully disputes the consistency of the Proposed Rule with the legislative intent of the statute which necessitates its promulgation. It is the Parking Authority's recommendation that the Proposed Rule be amended to direct the use of Red Light Camera Program funds solely within the City of Philadelphia, where every dollar controlled by the Proposed Rule has been generated. Philadelphia's unique highway transportation challenges were the impetus for the Program, and every dollar available is critically needed to further remedy Philadelphia's transportation challenges and safety concerns.

As the members of the committee are aware, the Parking Authority is the System Administrator of the Red Light Camera Program. The Program is the first, and only, of its kind in the Commonwealth and was created as a pilot program, with an original sunset provision of December 31, 2005. Due to the Program's success in reducing red light violations and motor vehicle accidents where deployed, the enabling legislation's sunset provision has been extended twice, now currently through December 31, 2011.

Over the past several years, the scope of the Red Light Camera has been judiciously extended throughout Philadelphia through the joint consent of the Parking Authority, the Department of Transportation, and the City of Philadelphia. There are currently seventy cameras at fifteen intersections, with plans for an additional fifteen cameras at four intersections in the next few months.

The legislation directs that all revenue generated by the Red Light Camera Program, net of the Administrator's operating expenses, be transferred to the Department of Transportation. As the Program has been expanded, so too has the revenue generated by applicable fines, such that the Parking Authority has now transferred \$8,850,394.00 to the Department of Transportation since the Red Light Camera Program's inception.

The legislation requires the Department of Transportation to place the revenue generated by the Red Light Camera Program into the Motor License Fund for distribution through a "Transportation Enhancements Grant Program". While the legislation does not expressly constrain the Department of Transportation to direct the available revenue to Philadelphia, the legislation was created only because of the heavily burdened and often dangerous highway system in Philadelphia which must provide for the safe transportation of 1.5 million residents and tens of thousands of intrastate and interstate visitors everyday.

The intent of the legislation was to improve the highway transportation system in Philadelphia. The Act deals only with Philadelphia and every dollar generated by the Red Light Camera Program is derived

from Philadelphia residents or frequent users of Philadelphia's highway system. While one day the Red Light Camera Program may be extended through this Commonwealth, and thus alter the intended scope of the Transportation Enhancements Grant Program, today the Program only operates in Philadelphia and the Enhancement Grants should be designated for use only in Philadelphia.

It is imperative that the Department of Transportation take the intent of the legislation into consideration when promulgating its final Rule. The Parking Authority respectfully suggests the following alterations that I submitted for the record, and any additional alterations that may be necessitated by the more focused scope of grant eligible projects resulting from these amendments.

The Parking Authority understands the complex nature of the issues presented to the Department of Transportation and respects its effort and diligence in meeting the far-reaching needs of this Commonwealth, but we believe this Proposed Rule making has cast too broad a net to be consistent with the intent of the enabling legislation. I would like to thank the committee again and would be happy to answer any questions the members may have.

# Proposed Amendments from the Philadelphia Parking Authority

## **§ 233.2. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Sponsor*--A [local authority, metropolitan planning organization, rural planning organization, county planning organization, or Commonwealth agency applying for, or receiving, a transportation enhancement grant under this chapter.] city of the first class.

## **§ 233.3. Eligibility requirements and criteria.**

(a) The minimum requirement for eligibility to apply for a transportation enhancement grant under this chapter is that the project must involve improvement to highway safety and mobility within [this Commonwealth.] a city of the first class.